

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF IOWA
(CENTRAL DIVISION)**

CAROLE MOORE,

Civil No. _____

Plaintiff,

vs.

**THE EVANGELICAL LUTHERN
GOOD SAMARITAN SOCIETY d/b/a
OTTUMWA GOOD SAMARITAN
CENTER,**

COMPLAINT AND JURY DEMAND

Defendant.

DIVISION I—PARTIES AND JURISDICTION

COMES NOW the Plaintiff, by and through her attorney, and for her Complaint states:

1. Plaintiff is a citizen of the United States and the State of Iowa.
2. Defendant is a citizen of the State of South Dakota in that it is a corporation organized and existing in good standing under the laws of the State of South Dakota and has its principal place of business in Sioux Falls, South Dakota.
3. The cause of this action arose in Wapello County, Iowa.
4. The amount in controversy exceeds the sum of \$75,000, exclusive of interest and costs.

DIVISION II—NEGLIGENCE

5. At all times material hereto Defendant operated a skilled nursing facility located at 2035 Chester Avenue in Ottumwa, Wapello County, Iowa commonly known as “Ottumwa Good Samaritan Center.”

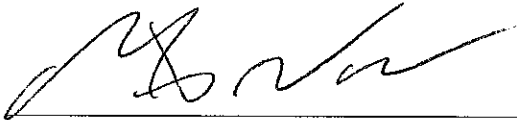
6. Plaintiff was initially admitted to the Ottumwa Good Samaritan Center on June 19, 2013 and at all times material hereto has remained a resident of said facility.
7. On April 26, 2014, while a resident at Defendant's facility, Plaintiff suffered a fall causing serious injuries to her body.
8. Defendant, by and through its employees, was negligent in the following particulars:
 - a. In failing to initiate proper restraints of Plaintiff;
 - b. In failing to properly monitor and supervise Plaintiff;
 - c. In failing to promptly and timely administer appropriate medical care to Plaintiff; and,
 - d. In failing to make proper documentation of the fall experienced by Plaintiff;
9. Defendant's negligence was the proximate cause of the resulting damage and injury incurred and suffered by Plaintiff.
10. Plaintiff has incurred damages in the following particulars:
 - a. Past, present, and future hospital, medical and drug expenses;
 - b. Past, present, and future pain and suffering;
 - c. Past, present, and future impairment, loss of use, and enjoyment of life;
 - d. Past, present, and future mental anguish; and
11. Plaintiff is entitled to actual damages

DIVISION III—JURY DEMAND

12. **Plaintiffs demand a jury trial of the issues in this case.**

WHEREFORE, Plaintiff prays for judgment against Defendant for actual and compensatory damages in a fair and reasonable amount, for interest at the statutory rate, and for the costs of this action.

SLATER & NORRIS, PLC

A handwritten signature in black ink, appearing to read 'M. Norris', is written over a horizontal line.

Michael T. Norris AT0005909

Thomas P. Slater AT0007248

5070 Grand Ridge Drive

West Des Moines, Iowa 50265

Telephone: (515) 221-0918

Facsimile: (515) 226-1270

E-mail: mnorris@snglaw.com

E-mail: tomslater@slaterlaw.com

ATTORNEYS FOR PLAINTIFF